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Report of the Special Rapporteur on the right to food on her mission to the Philippines: comments by the State

Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the comments by the State on the report of the Special Rapporteur on the right to food on her mission to the Philippines.

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Report of the Special Rapporteur on the right to food on her mission to the Philippines: comments by the State*

Comments on the Report of the Special Rapporteur on the right to food, Hilal Elver, on her mission to the Philippines (from 20 to 27 February 2015)

I. General Remarks

In general, the report is well written and clear and contains the most crucial issues and concerns pertaining to the food security and nutrition situation of the Philippines. With regard to the country's commitment having been a signatory to various international human rights treaties including the CEDAW, the Convention on the Rights of the Child (CRC), and the Convention on the Rights of Persons with Disability (CRPD), all of which contain provisions explicitly related to the right to adequate food, the Philippines has a conducive and enabling policy environment for food security and nutrition concerns. The challenge lies on better enforcement and further improvement in implementing laws, both at the national and sub-national level, through greater coordination and cooperation between and among national government agencies in the area of targeting, and focusing on the most vulnerable groups.

Furthermore, we appreciate the presentation in the report of the efforts of the Philippine government in addressing the incidence of malnutrition, underweightedness and mortality among children despite inadequate resources, poverty and natural disasters with recommendations to alleviate such situations in response.

The Philippines is of the view that there is a need to update the statistics and other data cited in the report to accurately reflect the current state of affairs in the country such as in the following:

II. General overview of food insecurity and nutrition

Para 4: Under item II on General overview of food insecurity and nutrition, real GDP for 2014 grew by 6.1 percent. Real GDP for the first nine months of 2015 grew by 5.6 percent. The WB [1], IMF, and ADB expect full-year growth to reach 5.8, 6.0, and 6.0 percent in 2015; and accelerating to 6.4, 6.3, and 6.3 percent in 2016, respectively. Based on the Philippine Statistical Authority's (PSA) 2014 regional data, Eastern Visayas, which was hit the most by Super Typhoon Haiyan in 2013, accounted for 2.0 percent of National GDP. [2]

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* Reproduced as received.

[1] World Bank. (2015). "Staying the Course" East Asia and Pacific Economic Update (October), World Bank, Washington, DC. Retrieved from http://pubdocs.worldbank.org/pubdocs/publicdoc/2015/10/414911444005973491/pdf/ EAP-EconomicUpdate-2015-10.pdf

[2] Philippine Statistics Authority. (2015). 2014 Gross Regional Domestic Product (as of July 2015) - Data and Charts. Retrieved from Philippine Statistics Authority: http://www.nscb.gov.ph/grdp/datacharts.asp

Para 5: The latest data from the 8th National Nutrition Survey (8thNNS) conducted in 2013 showed the prevalence of underweight and wasted children under five standing at 19.9% and 7.9%, respectively.

Para 6: On the impact of Super Typhoon Haiyan on the country's food poverty situation, the country's subsistence incidence (among population) stabilized to 10.5 percent [3] on the first semester periods of 2013 and 2014 based on the 2014 Annual Poverty Indicator Survey (APIS). There were no significant changes in food poverty incidence between 2013 and 2014 despite the impact of Super Typhoon Haiyan in November 2013 due to the government's concerted efforts to alleviate food poverty nationwide.

Para 7: With regard to the Gender Inequality Index, the Philippines ranks 78th out of 149 countries, with a value of 0.406. Meanwhile, our Gender Development Index is at 0.989. This is higher than average in the medium HDI group, and in the East Asia and the Pacific.[4]

III. Legal and Policy framework

Para 8: For consistency, the Philippine Development Plan 2011-2016 Midterm Update should be used instead of the Medium-Term Philippine Development Plan (2004-2010). It may also be noted that the former is already cited in paragraph 12 of the report under the policy framework section.

Para 9: Under item III on Legal and policy framework, the Philippines is a State-Party to 8 of the 9 core international human rights instruments, namely:

- International Convention on the Elimination of All Forms of Racial Discrimination;
- International Covenant on Civil and Political Rights;
- International Covenant on Economic, Social and Cultural Rights;
- Convention on the Elimination of All Forms of Discrimination against Women;
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- Convention on the Rights of the Child;
- International Convention on the Protection of the Rights of All Migrant Workers and members of Their Families; and
- Convention on the Rights of Persons with Disabilities.

Para 10: In addition to the laws cited in the report, the Republic Act (RA) 8550 (Philippine Fisheries Code of 1998) as amended by RA 10654 (An Act to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and its Implementing Rules and Regulations of the Fisheries Code) should also be included. Section 2(a) of RA 8550, as amended by RA 10654, provides the following State policy:

> *(a) To achieve food security as the overriding consideration in the utilization, management, development and protection of fishery resources in order to provide the food needs of the population. A flexible policy towards the attainment of food security shall be adopted in response to changes in*

[3] Note that the 2014 First Semester APIS Report excluded Leyte due to the scope of devastation of Typhoon Yolanda; all other provinces of Region 8 were included however.

[4] http://www.neda.gov.ph/2014/08/19/presentation-sec-balisacan-2014-human-development-report-5th-phl-progress-report-mdgs-launch-read-national-statistician-lisa-grace-bersales/

demographic trends for fish, emerging trends in the trade of fish and other aquatic products in domestic and international markets, and the law of supply and demand.

Furthermore, apart from the provisions of the Philippine Constitution cited in the report, particularly Article III Section (right to life), and the Magna Carta of Women, which contain explicit guarantee related to the right to adequate food, the Philippines is of the view that the report should also note that as early as 1974, Presidential Decree 491, specifically created the National Nutrition Council, composed of 10 national government agencies, with the primary mandate to:

1) Formulate national food and nutrition policies and strategies;

2) Coordinate the national food and nutrition program;

3) Coordinate funds for nutrition; and

4) Call on any government instrumentality for assistance.

IV. Food availability: Challenges facing the agriculture sector

Para 15: On item IV concerning Food availability: Challenges facing the agriculture sector (Para.15). As of 2014, the share of Agriculture to GDP stood at 10 percent. About 30 percent of the total employed was generated by the Agriculture sector. Additionally, the average share of Agriculture to GDP during the 1991-1994 period stood at 14.9 percent at constant 2000 prices.

Based on the 2010 Census of the Population, the rural population or those who lived in areas classified as rural numbered 50.5 million and accounted for 54.7 percent of the total population.[5]

Para 18: On the UN Rapporteur's statement, "*the irrigation infrastructure in some instances is not maintained efficiently or adequately utilized thus reducing productivity potential*" paints a one-sided picture. The Philippine Department of Agriculture (DA), from year 2014[6], prioritized the provision of small-scale irrigation facilities in cluster areas to ensure that major waterways are functional and achieve higher irrigation efficiency. In 2014 alone, more than 3,000 hectares were service areas supplied by 160 small-scale irrigation projects (SSIPs).

Regarding the support to farmers in marketing their produce, the Department of Agriculture constructs Agri-Pinoy Trading Centers (APTC) in strategic locations that serve as direct marketing hubs for farmers and fishers and aims to reduce the layers of middlemen. Based on data, trading centers helped increase the income of farmers and fishermen by as much as 15% to 25%. Currently, the Department has already established nine (9) operational APTCs, municipal food terminals and barangay food terminals.

The Rapporteur's statement that "*adequate roads and transport infrastructure is also lacking in more remote areas*" is also not reflective of the situation in the Philippines. The DA has placed emphasis in the development of farm-to-market roads (FMRs), which is also a priority under RA 8435 or the Agriculture and Fishery Modernization Act of 1997. The program to construct and rehabilitate farm to market roads (FMRs) aims to provide rural

[5] Philippine Statistics Authority. (2013). Urban-Rural Classification: Urban Barangay in the Philippines (Based on 2010 CPH). Retrieved from Philippine Statistics Authority Website: https://psa.gov.ph/tags/urban-rural-classification

[6] Source: 2014 DA Annual Report

communities access to main roads, thereby reducing post-harvest losses and transport costs. From years 2011-2014, more than 3000 kilometers of FMRs had been constructed nationwide.

Para 19: The third sentence should be revised to capture the full nature of the country's land reform program, to wit: "The reform is comprehensive as it covers not only private land but also public land classified as agricultural. It provides for the redistribution of land with appropriate support services to help the beneficiaries survive as independent small farmers."

Para 20: As of January 2013, the official land acquisition and distribution balance was 869,181 hectares.

After the fourth sentence, it should be reflected that a proposed law which seeks to "extend" CARP for another 5 years has been filed at the House of Representatives and a post-2014 "transition plan" was developed by Department of Agrarian Reform (DAR) in order to continue with support services provision for the beneficiaries of the land distribution program.

Para 21: While it appears that there are cases that the notice of coverage (NOC), which commences the land acquisition and distribution (LAD) process, is being ignored by large landowners, the land reform law provides that NOCs shall be published by DAR if landowners ignore or refuse to accept them.

Moreover, in addition to physical infrastructure such as FMRs, irrigation, warehouses and institutional development support, DAR has expanded the provision of support services through increased funding for credit, crop insurance, provision of common service facilities, business development services, entrepreneurship trainings and legal services for farmers engaged in agribusiness ventures.

Para 22: Based on the 2014 national income account (NIA), fisheries contracted by 0.4 percent, at constant 2000 prices, while it accounted for 18.18 percent of total agricultural production.

Para 23: The UNSR's report should include Republic Act No. 10654 (An Act to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing), amending RA No. 8550 or the Fisheries Code of 1998 which was enacted into law in February 2015 as part of its legal references. This law extended municipal waters for small fishing vessels, i.e., weighing 3 gross tons or less, to up to 15 kilometers from the shoreline.

Local Government Units, which has jurisdiction over these waters however, may authorize small and medium commercial fishing vessels, i.e., greater than 3.1 gross tons to 150 gross tons, to operate within 10.1 to 15 kilometer area, provided that the following conditions are met:

(a) No commercial fishing in municipal waters with depth less than seven (7) fathoms as certified by the appropriate agency;

(b) Fishing activities utilizing methods and gears that are determined to be consistent with national policies set by the Department;

(c) Prior consultation, through public hearing, with the M/C FARMC has been conducted; and

(d) The applicant vessel as well as the ship owner, employer, captain or crew have been certified by the appropriate agency as not having violated this Code, environmental laws and related laws.

It is further stated that in no case shall the authorization or permit be granted for fishing in bays as determined by the Department to be in an environmentally critical condition and during closed season.

Considering the size limitation of municipal fishing boats (3 Gross Tons or less), municipal fishers cannot go beyond the 15 km boundary. The Philippines continues to address any incidents of encroachment of commercial fishers in municipal waters.

On the delineation of municipal waters to ensure resource sustainability: Paragraph 4 of Sec 16 of RA 8550 as amended by RA 10654 s. 2015 stipulates that the management of contiguous fishery resources such as bays, which straddle several municipalities, cities or provinces, shall be done in an integrated manner, and shall not be based on political subdivisions of municipal waters in order to facilitate their management as a single resource.

On note 29: RA No. 8550 s. 1987 as amended by RA 10654 s.2015 defines "municipal fisher folk" as persons directly or indirectly engaged in municipal fishing and other related fishing activities and "municipal fishing" as fishing within municipal waters using fishing vessels of three (3) gross tons or less, or fishing not requiring the use of fishing vessels, respectively.

Para 24: The regulatory policies of the country's fishery laws, RA 8550 as amended by RA 10654, provides stiff penalties to deter, eliminate and prevent illegal, unreported and unregulated fishing. It also prohibits destructive fishing methods, fishing in marine protected areas, fishery reserves, refuge and sanctuaries, conversion of mangroves and aquatic pollution.

Arbitrary control on maritime areas that are prized fishing grounds has further put at risk the livelihood of municipal fisher folks. The illegal occupation of other countries in contested maritime zones has also threatened fish requirements of the Philippines and the sustainability of maritime life and natural resources.

V. Food Accessibility

Para 25: Under item V relating to Food Accessibility, poverty incidence among the population declined from 26.3 percent in 2009 to 25.2 percent in 2012. In terms of levels, however, the magnitude of poverty increased from 23.3 million to 23.7 million. The report only cited the magnitude of poverty in terms of number of households falling below the poverty line.

On unemployment and underemployment levels in 2013, it should be clarified that around 2.9 million were unemployed while there were 7.4 million underemployed. The 2008 Informal Sector Survey conducted by the National Statistics Office (NSO) identified about 10.5 million informal sector operators. [7]

Para 30: As of June 2015, the Philippine Health Insurance Corporation (PhilHealth) coverage rate stood at 88% of the projected population. Republic Act (RA) No. 10606 or the National Health Insurance Act of 2013 mandates the national government to provide and subsidize health insurance coverage for indigents identified under the National Household Targeting System for Poverty Reduction (NHTS-PR). Currently, there are about

[7] Philippine Statistics Authority. (14, January 2009). Informal sector operators counted at 10.5 million (Results from the 2008 Informal Sector Survey). Retrieved from Philippine Statistics Authority Website: https://psa.gov.ph/content/informal-sector-operators-counted-105-million-results-2008-informal-sector-survey

15.29 million members and 30.12 million dependents covered under PhilHealth's Indigent Program. The No Balance Billing Policy ensures that indigents will not be charged beyond the prescribed case rates in government health care facilities. In addition, health insurance coverage is also provided to senior citizens and individuals from vulnerable sectors. There are also about 3.60 million members and 4.16 million dependents in the informal economy, which includes migrant workers, informal sector members, self-earning individuals, and organized groups. Aside from expanding the PhilHealth coverage, the Government has sought to improve its information and education campaign to enable members to maximize the use of their PhilHealth coverage.

Para 31: The data used in the UNSR's report was taken from the 2006 Social Security System (SSS) Report and can be updated along with data from the Government Service Insurance System (GSIS). As of March 2015, 921,825 employers were enrolled with SSS, compared to 780,000 enrolled employers in 2006. There are also 32.5 million registered employees, self-employed and voluntary members with SSS coverage, as of the same period.

Para 33: Supplementary feeding programs have always been a component of services provided in public elementary schools and day care centers. Procurement of food commodities had always been centralized at the level of the national government. However, this role has since been devolved since 2010 as a function of local government units and field offices/schools with funds still emanating from the national government. Parents have also been involved in feeding programs in day care centres.

Para 35: Republic Act No. 8371 or the Indigenous Peoples Rights Act (IPRA) is a landmark legislation enacted to promote and preserve the rights of the Indigenous Peoples (IP)/Indigenous Cultural Communities (ICCs). Under the IPRA, the IPs/ICCs are assured of four bundles of rights, namely:

(i) right to Ancestral Domain and Lands;

(ii) right to self-governance and empowerment;

(iii) right to social justice and human rights; and

(iv) right to cultural integrity.

These rights should be recognized in whatever phase or stage of national development.

Additionally, the National Commission on Indigenous Peoples (NCIP), as the primary implementing agency of IPRA, recognizes the right of IPs/ICCs to undertake economic activities that ensure their right to food and pursues programs and projects only upon the Free, Prior and Informed Consent (FPIC) of the IPs/ICCs. This consent process is granted by the concerned IP/ICC through the NCIP's facilitation and intervention and is studiously complied with prior to undertaking any activity in an identified ancestral domain. This is in recognition of IP's/ICC's right to self-determination and to their ancestral lands, including their economic stability and food security.

Paras 35–37: The Philippine Commission on Women (PCW), as the national focal point for women's empowerment and gender equality, cites Sec.23 (b) of the Magna Carta of Women on the matter of the Large Scale Development and Mining Projects, which states that "information and assistance in claiming rights to the land shall be made available to women at all times. All concerned agencies with land management programs shall develop programs to provide information, education and communication and assistance in claiming such rights." State agencies like the NCIP have undertaken measures to ensure the active participation of women in its programs and activities.

The Philippines also emphasizes that Indigenous People (IP) women were found to be active respondents to the Indigenous Knowledge Systems and Practices (IKSP) documentation activities that would support the NCIP's formulation of a recognition/claim book for each IP group for the delineation and titling of their respective ancestral domain or the formulation of their Ancestral Domain Sustainable Development and Protection Plan (ADSPP).

VI. Food adequacy

Para 38: As of 2013, the prevalence of underweight children under 5 is at 19.9% while the prevalence of wasting and stunting are at 7.9% and 30.3%, respectively. Per the 8th National Nutrition Survey (NNS), the regions with the highest prevalence of wasting were Region I (Ilocos) and Region IV-B (MIMAROPA), not Region VI (Western Visayas) and Region VII (Central Visayas).

Para 39: The nutritional problem in the Philippines cannot be described as simply "protein deficiency." National Nutrition Surveys have always reported more than 100% adequacy in protein consumption (primarily because of the high rice consumption that contributed significantly to protein intake). Reported incidents of deficiency in energy intake, when coupled with frequent bouts of infection among young children, can result to a slowing down of growth and eventually stunting.

Para 40: As mentioned under Item III on the legal and policy framework, the PPAN, which currently covers the period 2011-2016, was conceptualized as early as 1974 upon the establishment of the National Nutrition Council in the same year. The Philippines recognizes the value of instituting a multi-sectoral approach to tackle malnutrition with specific focus on strengthening and making government interventions and programs more comprehensive to meet the challenges of the double burden of malnutrition.

Para 41: According to the 8thNNS conducted in 2013, 31.1% of Filipino adults were classified as overweight and obese. The prevalence of overweight children aged between 5-10 years old stood at 4.9% in 2013, lower than the 7.5% rating in 2011. Obesity stood at 6.6% in 2008.

VII. Groups living in vulnerable situations

Paras 42–44: the following should also be considered in the UNSR's report:

A. Women

1. Some localities in the Philippines reported the involvement of women in their local government's food security training programs from 2009 up to 2012.

   These initiatives include animal dispersal, vegetable production/community gardening/ Modelong Gulayan ng Bayan, FAITH (Food Always in the Home) Program, Palayamanan Project/rice production demonstration, seed distribution, fruit tree production, diversified farming, homemakers' classes, nutrition forum, organic agriculture (organic fertilizer production, organic livestock and poultry production, Organic Farming and Integrated Pest Management, organic pesticides) and some fishery-related activities.

2. Local governments have noted the participation of more women in program planning and implementation while only a limited number of LGUs confirmed the participation of women in monitoring and evaluation.

The participation of women is highly visible in the Fisheries Conservation and Development Program, Faith Project Modelong Gulayan sa Bayan, Community/School Vegetable Production, Bio-Intensive Gardening as well as in food processing. There was a significant increase in the number of women participating in organic farming activities organized by local governments due to their affiliation with various political organizations, Rural Improvement Clubs (RICs), 4-H Clubs and Associations of farmers/fisher folks/youth, faith-based groups, rural-based groups, senior citizens associations and elementary school programs.

3. Local governments have reported the following benefits brought about by the involvement of women in their food security initiatives, as follows: a) better nutrition; b) additional income that helped to send children to school and build/improve shelter; c) production of healthy and safe food; and d) reduced hunger and food sufficiency. These projects have improved womens' equal access to technical training and free agricultural inputs such as vegetable seeds.

4. In relation to paragraph 44 which relates to the "burdens faced by women as the primary care givers within the family setting, including the different challenges relating to assuring adequate food and nutrition for their family", the Philippines highlights the following advancements:

Development of a comprehensive national strategy of health programs, services and information that address women's right to health throughout their lifespan.

Specifically, the Magna Carta of Women (MCW) IRR ensures the provision of the following programs and services: maternal care, breastfeeding and proper nutrition for lactating mothers; responsible, ethical, legal, safe and effective methods of family planning; youth sexuality education and services; prevention and management of reproductive tract infections and cancers; prevention of abortion and management of pregnancy-related complications; VAWC comprehensive health services; HIV-AIDS; infertility and sexual dysfunctions, care of elderly; and women/girl mental health management. Majority of the initiatives have centered on *maternal and child-care*, which include the prevention of abortion and management of pregnancy-related complications.

a. *Access to maternal care inclusive of pre-natal, delivery and post-natal services to address pregnancy and infant health and nutrition*

Notwithstanding that access to the package of maternal care varies among local government units (LGUs), there has been steady increase of deliveries in health units. both for normal and other types, from the average 2009 figure of 46.42% to 67.64%in 2012. Services of physicians in attending deliveries increased from 35.5% in 2009 to 42.3% in 2012. Further, covering the period 2009-2012, LGUs reported the following improvements: pregnant women given TT2 plus ranged from 25% to 82.5%; pregnant women given complete iron with folic ranged from 11.45% to 86%; and percentage of pregnant women given Vitamin A ranged from 41% to 44%.

b. *Breastfeeding and proper nutrition for lactating mothers promoted*

Peer counseling and community support have proven to be effective in correcting misconceptions in breastfeeding. Peer Counselors' Trainings were conducted in 32 cities as part of the Communications for Behavioral Impact (COMBI) strategy from 2010-2012.

Lactation stations were provided in informal work places. The Department of Interior and Local Government (DILG) issued Memorandum circular 2011-054 for the implementation and monitoring of the national policy on breastfeeding and setting up of lactation stations in workplaces.

In 2012, the Philippine Government through the Department of Health (DOH) launched "Breastfeeding Welcome Here" program for businesses and organizations to foster a welcoming attitude towards breastfeeding as support for women and their families' decision to breastfeed their babies. Local Government Units (LGUs) also issued ordinances to promote breastfeeding. The National Anti-Poverty Council (NAPC) and the Department of Labor and Employment (DOLE), in cooperation with tripartite partners, developed a Monitoring Evaluation for the Implementation of Expanded Breastfeeding (EBF) in workplaces. The percentages of postpartum women that were encouraged and had initiated breastfeeding in respondent LGUs ranged from 27.45% to 93% in 2012.

Para 43: The Philippines, through the Bureau of Fisheries and Aquatic Resources (BFAR), established a centralized registration database for municipal fisher folk entitled *FishR or Municipal Fisherfolk Registration System*. The system was rolled out to all coastal and inland municipalities and cities in 2013 to ensure the registration of all municipal fisher folk, including fishermen, vendors, processors, gleaners, fish farmers, fish workers and crew, among others. To date, the system has more than 1.6 million registered fisherfolk, close to 40 percent of which are women. Currently, the database is being harmonized with the Registry of System for Basic Sectors in Agriculture (RSBSA) and cross-matched with that of the Department of Social Welfare and Development (DSWD) and the Philippine Health Insurance Corporation (PhilHealth) for provision of social benefits to qualified indigents.

Para 47: The latest data on child health and mortality from the 2013 National Demographic and Health Survey show that the Philippine's under-five mortality rate stood at 31 per 1000 live births; infant mortality rate stood at 23 per 1000 live births; and neonatal mortality rate is at 13 per 1000 live births. While there are slight differences with the 2011 Family Health Survey, the trend remains decreasing.

Para 48: On the allegation of "frail" financial commitment of the country to ensure that children receive adequate food and nutrition, the report should have noted that Senate Bill No. 202 (Child Nutrition Act of the Philippines) was filed in the 16th Congress. It proposes a school nutrition program to be established, sustained and maintained by the government which would provide a distribution system of milk and fortified snack foods to entrants of public elementary schools for the minimum period of 120 feeding days, five times a week with vitamin supplements for a certain period of time to be determined by the Department of Health (DOH). The program shall have an initial fund of PHP 100 million and shall afterwards be appropriated annually under the National Nutrition Council, an agency under the Department of Health (DOH) and the Department of Education (DepEd).

As part of the food situation in the Philippines, the Philippine government addresses food safety as part of its child protection policy. The Department of Health (DOH) provides advisories, particularly, to local school officials in the aftermath of the reported cases of food poisoning involving children. The DOH advises school administrators to secure health certificate for food handlers working in school canteens.[8] [9] Reports of such news have been

[8] Shiela Crisostomo. "DOH issues tips to avoid food poisoning. " The Philippine Star. Updated 17 January 2016. Retrieved from: http://www.philstar.com/metro/2016/01/17/1543388/doh-issues-tips-avoid-food-poisoning

[9] EIN Newsdesk. Philippines Food Poisoning News Feed. Retrieved from: http://foodsafety.einnews.com/news/food-poisoning/philippines

alarming.[10] Children are to be provided with safe food under their right to health. Food safety connotes food preparation and use, which is one of the pillars of food security.[11]

Para 51: With reference to the first sentence, the Philippines notes that only apparent disabilities were conducted during the 2010 census.

Para 52: The report should have used the term "insufficient implementing measures" instead of "insufficient measures" to precisely identify existing challenges.

The Philippines passed the Accessibility Law in 1983, which in line with standards set in the UN Convention on the Rights of Persons with Disabilities, provides for an environment that enhances the mobility of persons with disabilities. The Philippines also enacted Republic Act 7277, otherwise known as the Magna Carta of Disabled Persons, which provides for the rehabilitation, self-development and self-reliance of disabled persons and their integration into mainstream society.

Para 53: Children with disabilities in the Philippines are now being included in the nationwide government feeding program, which should also be highlighted in the report. In fact, children with disabilities are among the priority.

The National Household Targeting System identified more or less 300,000 poor families with children with disabilities out of the 4.1 million families listed. They were included among the beneficiaries of the Conditional Cash Transfer program, which supports the education and health of children-18 years old and below, including children with disabilities.

The Philippines, through the Department of Education (DepEd), had established more than 400 Special Education Centers nationwide within public elementary and secondary schools. DepEd is now shifting to inclusive education, which will include the development of support services for children and adults with disabilities to enable them to live independently in their respective communities.

VIII. Emerging Challenges

Para 55: The phrase "*third most vulnerable*" lacks citation.

The Philippines is one of the countries most vulnerable to climate change. Additionally, according to the 2016 Climate Change Vulnerability Index (CCVI) released by risk analysis company Verisk Maplecroft, the Philippines was ranked 13th most climate vulnerable country, an improvement from the 2015 index which ranked it at 8th place.

Para 56: The Philippines notes that the impact of climate change to fisheries is not comprehensively covered in this paragraph as it only reflects coastal area species and habitats. The offshore/pelagic species such as tunas and sardines will also be affected (reproduction, migration, etc). In addition, the fisheries industry (fisher folk and altered fishing practice due to changing typhoon patterns) should also be highlighted and should not be limited only to ocean acidification.

The Philippines has intensified resource rehabilitation measures to include mangrove planting, use of environment friendly fishing gears, fish cage and seaweed farming,

[10] Ernesto M. Maceda. "Food Poisoning All Over." Search for Truth (opinion column). The Philippine Star. Updated: 18 July 2015. Retrieved from: http://www.philstar.com/opinion/2015/07/18/1478160/food-poisoning-all-over

[11] World Health Organization. Food Security. Retrieved from: http://www.who.int/trade/glossary/story028/en/

establishment of sanctuaries, observance of closed season and similar efforts. This is to address the concern of municipal fishers on the declining fish stocks due to overfishing and poor condition of the resource/habitat base that has led to illegal and destructive fishing practices.

To date, there are four (4) major fishing areas that regularly observe a *closed season for fishing, i.e.,* Visayan Sea, Sulu Sea, Davao Gulf and Palawan waters. Bay wide Management Councils had been organized and are actively managing contiguous bodies of water against illegal forms of fishing and regulating fish cage farming to prevent and/or reduce the occurrences of fish kills.

IX. Next Steps: Implementation of a national food and nutrition framework

Para 60: Senate Bill 2137 entitled "An Act Providing a Framework for the Right to Adequate Food"[12] was filed on 24 February 2014 which seeks to harmonize various Philippine laws that guarantee certain aspects of right to adequate food. The bill aims to ensure that the incidence of hunger is reduced by 25% in every 2.5 years from the time of the passage of the framework act, i.e., reduction of incidence of hunger by 25% in 2.5 years; by 50% in five (5) years; by 75% in 7.5 years; and 100% or zero hunger by the end of 10 years. The Government will also ensure that in 10 years, land devoted to food production will be increased to 50% of all prime agricultural land in every region. The bill is pending on second reading, as of December 2015.

The pending legislation aims to pursue greater emphasis on programs that cuts across health, nutrition, agriculture, social protection and environmental protection, with specific focus on vulnerable groups such as women, children, persons with disability and the elderly."

X. Concluding observations and recommendations

The Philippines, in conclusion, will take into serious consideration the observations and recommendations of the Special Rapporteur and in the spirit of constructive engagement will undertake to implement those that are doable and sustainable and in line with the development priorities of the Philippines and with full consideration of its obligations to promote, protect and fulfill human rights, including the right of its people to adequate and quality food.

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[12] http://www.senate.gov.ph/lisdata/1877315901!.pdf